

### **REMARKS/ARGUMENTS**

The Examiner found patentable subject matter in claims 2, 7, 9 and 10 and dependent claim 11. Claims 2, 7, 9 and 10 are being rewritten in independent form and are therefore allowable.

Claims 1, 3-6 and 8 have each been rejected as being anticipated by one or more of Nomura et al., Akiyama et al., and Gratz et al.

Independent claims 1 and 6 are being amended to state that the workpiece is clamped by a clamping motion in the direction of ultrasonic vibration. As amended, the claims are not readable on any of the three references.

In Gratz, the clamping is in a vertical direction as seen in the drawing, between the first clamping plate 4 and the abutment plate 7, or alternatively between the second clamping plate 6 and the abutment plate 7. On the other hand, the vibration direction is into and out of the plane of the drawing. Therefore, the direction of the clamping movement is vertical within the plane of the drawing, while the direction of vibration is horizontal into and out of the plane of the drawing.

In Akiyama, the clamping movement is in the direction F shown in Figure 1, that is, toward the right horizontally in the plane of the drawing. On the other hand, the vibrating member 3 moves into and out of the plane of the drawing. Thus, in Akiyama, et al. as well, the clamping movement is not in the direction of the vibration as claimed.

Likewise, in Nomura, et al., in the first embodiment of Figs. 1-4, there is a clamping movement which is vertical in the plane of the drawing of Fig. 1, while on the other hand, the direction of vibration is orbital as shown for example in Fig. 4. In the second embodiment of Figs. 5-8, the clamping movement of the clamp 24 for clamping the moving side pipe 10, is from the top and from the bottom of Fig. 6. On the other hand, the clamping movement carried out by the clamp 22 for clamping the fixed side pipe 11, as best seen in Fig. 7, is at an acute angle to the plane of the drawing. The direction of vibration, is into and out of the plane of the drawing of Fig. 6, i.e., vertically as shown in Fig. 5. Therefore, neither the clamp 22 nor the clamp 24 performs a clamping movement in the direction of vibration carried out by the vibrating device 21, 23.

For these reasons, claims 1 and 6 and their dependent claims 3-5 and 8 are submitted to be allowable.


Claim 11 depends from any one of claims 6-10 and is also allowable, both because of such dependency, and because of its patentable subject matter as found by the Examiner.

Allowance of claims 1-11 is therefore requested.

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